

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

BRIAN KEITH ALFORD,	:	Case No. 2:24-cv-0194
	:	
Plaintiff,	:	Chief Judge Sarah D. Morrison
	:	Magistrate Judge Caroline H. Gentry
vs.	:	
	:	
TOM SCHWEITZER, <i>et al.</i> ,	:	
	:	
Defendants.	:	

ORDER

This civil rights case is before the Court on Plaintiff's request for additional time to file objections to the undersigned Magistrate Judge's Report and Recommendation. (Doc. Nos. 15, 14.) For good cause shown, the Court **GRANTS** his request. (Doc. No. 15.) Plaintiff's objections are now due by **June 23, 2025**.

In his motion, Plaintiff says he never received a file-stamped copy of his amended complaint, and he asks the Court to provide it now so he can reference it by PageID number in his objections. (Doc. No. 15 at PageID 289.) However, no formal amended complaint appears on the docket.

The docket does reflect the following. In November 2024, Plaintiff filed a motion asking for "an extension of time to file an amended complaint with the correct heading listed above," i.e., listing the Eastern Division rather than the Western Division of Ohio. (Doc. No. 9 at PageID 234.) He attached a proposed amended complaint to the motion. (*Id.* at PageID 235-245.)

Chief Judge Morrison construed this motion as one to amend the original Complaint by interlineation and granted it. (Doc. No. 10 at PageID 248.) As a result, “the operative Complaint in this action remains **ECF No. 1**, with Mr. Alford’s change to the case caption being duly noted.” (*Id.* [emphasis in original].¹) The proposed amended complaint was not separately filed on the docket or otherwise utilized and is not the complaint the undersigned discussed in the Report and Recommendation. (*See, e.g.*, Doc. No. 14 at PageID 261 [noting that “[t]he following statement of facts is taken from the Complaint (Doc. 1).”].) Doc. 1 (also called ECF No. 1) is the original Complaint.

As a courtesy to the incarcerated and *pro se* Plaintiff, the undersigned **DIRECTS** the Clerk of Court to send Plaintiff an additional copy of the motion he filed that attaches the proposed amended complaint (Doc. No. 9) as well as a copy of the case docket sheet. If Plaintiff needs copies of any other documents, he may contact the Clerk and request those documents according to the Clerk’s usual fee schedule.

IT IS SO ORDERED.

/s/ Caroline H. Gentry
Caroline H. Gentry
United States Magistrate Judge

¹ Chief Judge Morrison’s Order (Doc. No. 10) was mailed to Plaintiff twice. (*See* service notes for Doc. No. 10; Doc. No. 13 at PageID 256 [where the Court directed the Clerk “to send Plaintiff an additional copy of the most recent Order on the docket (Doc. No. 10) as well as a copy of the docket sheet for his review.”].)